United Nations A/58/837–S/2004/465

General Assembly
Security Council

Distr.: General
8 June 2004

Original: English

General Assembly
Fifty-eighth session
Agenda items 37 and 156

Security Council
Fifty-ninth year

The situation in the Middle East

Measures to eliminate international terrorism

Identical letters dated 8 June 2004 from the Chargé d'affaires a.i. of the Permanent Mission of Israel to the United Nations addressed to the Secretary-General and the President of the Security Council

I wish to draw your attention to the latest violations of the Blue Line from Lebanese territory.

Yesterday morning, 7 June 2004, six 107-mm missiles were fired from Lebanese territory at an Israeli naval vessel patrolling in Israeli territorial waters. Four of the rockets hit Israeli territory, south of the Israeli-Lebanese border, just meters from the Israeli town of Rosh Hanikra. The rockets also gravely endangered the safety and security of UNIFIL personnel stationed in the area. Israeli security forces identified the source of the rocket fire as Ahmed Jibril's Popular Front for the Liberation of Palestine (PFLP), a Damascus-based Palestinian terrorist organization operating in southern Lebanon. Israeli aircraft responded to these attacks by measured defensive action, in accordance with its right and duty of self-defense, against a PFLP terrorist base located near Beirut, which is used as a platform for terrorist activity in Lebanon. No injuries resulted from this defensive measure.

This afternoon, 8 June 2004, Hizbullah terrorists perpetrated a heavy mortar attack from Lebanon across the Blue Line, wounding an Israeli soldier in the Har Dov region. Approximately 20 rockets and mortar shells were fired at three Israeli positions in the northern Galilee. The bombardment lasted more than two hours.

These incidents are yet the latest in a series of willful attacks carried out against Israel by terrorist organizations like the PFLP and Hizbullah, which operate against Israel freely from Lebanese jurisdiction, and with Syrian and Iranian sponsorship.

Since Israel's complete withdrawal from Lebanon in May 2000, in full and confirmed compliance with Security Council resolution 425 (1978), tens of Israelis have been killed or wounded in terrorist attacks emanating from Lebanese territory.

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In this time, terrorists operating in Lebanon have fired countless explosive devices across the Blue Line, terrorizing civilian communities along the Northern border. Israeli security forces have also succeeded in thwarting 14 attempted infiltrations into Israel from Lebanese territory.

These acts of aggression were enabled by the complicity of the Government of Lebanon, and with the support of the Syrian and Iranian regimes that have long sponsored, trained and financed these terrorist groups. Such actions represent a direct negation of obligations under international law and the provisions of Security Council resolutions, including resolutions 425 (1978), 426 (1978), 1310 (2000), 1337 (2001) and 1373 (2001). The failure of the Government of Lebanon to restore peace and security, ensure the return of its effective authority and prevent cross-border attacks from its territory in grave violation of these obligations is the direct cause of instability in the area and of the necessity for Israel to take measures in self-defense.

In recent months, the Lebanese representative has circulated numerous letters which manipulate the facts and depict Israeli actions along the Israeli-Lebanese border as provocative rather than defensive, while ignoring the egregious acts of terrorism and ongoing Lebanese violations which necessitated them. It is therefore important to note that the quantity of such letters has no bearing on their accuracy.

The dangerous situation in South Lebanon continues to be the direct result of illegal attacks perpetrated by terrorist organizations across the Blue Line and necessitates immediate action by the governments of Lebanon and Syria to fulfill their international responsibilities and end their support for terrorism. Lebanon, as well as other terrorist-sponsoring regimes in the region, are not absolved of their legal obligations to fight terrorism, like any other state, as part of the global campaign against international terrorism. Israel once again calls on the international community to expect nothing less than full compliance.

I should be grateful if you would arrange to have the text of the present letter circulated as a document of the fifty-eighth session of the General Assembly, under agenda items 156 and 37. I am also submitting an identical letter to the President of the Security Council for circulation.

(*Signed*) Ambassador Arye **Mekel**
Chargé d'affaires a.i.

United Nations S/2004/466

Security Council

Distr.: General
9 June 2004

Original: English

Letter dated 2 June 2004 from the Permanent Representative of Ireland to the United Nations addressed to the Secretary-General

I have the honour to draw your attention to the statement to welcome the signing in Naivasha of the last three protocols leading to a framework peace agreement on the Sudan, issued on 28 May 2004 by the Presidency on behalf of the European Union (see annex).

I should be grateful if the text of the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Richard **Ryan**
Permanent Representative of Ireland to the United Nations

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Annex to the letter dated 2 June 2004 from the Permanent Representative of Ireland to the United Nations addressed to the Secretary-General

[Original: English, French and Spanish]

Statement to welcome the signing in Naivasha of the last three protocols leading to a framework peace agreement on the Sudan, issued on 28 May 2004 by the Presidency on behalf of the European Union

The European Union welcomes the signing of the three protocols by the Government of the Sudan and the Sudan People's Liberation Movement, which took place in Naivasha, Kenya, on 27 May 2004. This represents a significant step towards a lasting peace in southern Sudan and both parties are to be congratulated on their commitment to the peace process in Naivasha. The dedication of the IGAD facilitators, in particular the chief mediator, Gen. Lazaro Sumbeiyo, and Kenya as hosts to the peace talks for the past two years has played a significant role in this achievement.

The European Union urges both parties to sustain this momentum towards peace and to begin immediately a discussion on a comprehensive peace agreement for the Sudan. The European Union stands ready to assist in the development and implementation of a just and peaceful future for all of the Sudan.

The European Union reiterates its concern at the humanitarian crisis unfolding in Darfur and calls on the Government of the Sudan and all parties to show a similar commitment to bring peace and stability to that region.

United Nations S/2004/467

Security Council

Distr.: General
9 June 2004

Original: English

Letter dated 4 June 2004 from the Permanent Representative of Ireland to the United Nations addressed to the Secretary-General

I have the honour to draw your attention to the statement on the situation in Bukavu, Democratic Republic of the Congo, issued on 4 June 2004 by the Presidency on behalf of the European Union (see annex).

I should be grateful if the text of the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Richard **Ryan**
Permanent Representative of Ireland to the United Nations

04-38278 (E) 100604

Annex to the letter dated 4 June 2004 from the Permanent Representative of Ireland to the United Nations addressed to the Secretary-General

[Original: English, French and Spanish]

Statement on the situation in Bukavu, Democratic Republic of the Congo, issued on 4 June 2004 by the Presidency on behalf of the European Union

1. The European Union vigorously condemns the clashes in Bukavu in the last few days, triggered by armed rebels opposed to the armed forces of the Democratic Republic of the Congo. The European Union also condemns the deaths of several innocent civilians and the human rights violations accompanying the violence in Bukavu.

2. This insurrection threatens the territorial integrity of the Democratic Republic of the Congo, prevents the re-establishment of the State's powers in the eastern regions and, as a result, seriously undermines the pursuit of the transition process. The European Union calls on all the parties to the interim Government to work together to resolve this crisis.

3. The European Union calls for an immediate end to all hostilities, for the safety of the civilian population to be secured and for order and the rule of law to be restored to South Kivu. The European Union urges the rebel forces to lay down their weapons and leave the town of Bukavu. The European Union firmly supports the legitimate steps being taken by the interim Government to negotiate a peaceful solution to the crisis in South Kivu.

4. The European Union recalls the various declarations and agreements signed during the last two years by the countries of the region, under which they are committed to normalizing their relations and observing the principles of non-interference and respect for the sovereignty and territorial integrity of their neighbours. It recalls the terms of United Nations Security Council resolution 1493 (2003) of 28 July 2003 and, notably, the references to mutual security in the Great Lakes region. In this context, the European Union roundly condemns all supplies of arms or equipment to the armed rebels, as well as all foreign interference in the Democratic Republic of the Congo. All the countries of the Great Lakes region should step up their efforts to improve their bilateral relations. The Democratic Republic of the Congo, Rwanda and Uganda should, in particular, cooperate wholeheartedly to reduce the tension in the east of the Democratic Republic of the Congo.

5. The European Union urges all sides in the Democratic Republic of the Congo to cooperate with MONUC to facilitate the achievement of its objectives of supporting the transition and the disarmament and demobilization process. All sides and political leaders in the Democratic Republic of the Congo should demonstrate restraint and a spirit of cooperation to solve as quickly as possible the serious situation created by the events in Bukavu.

The candidate countries Bulgaria, Romania and Turkey, the countries of the stabilization and association process and potential candidates Albania, Bosnia and Herzegovina, Croatia, the former Yugoslav Republic of Macedonia, Serbia and Montenegro, and the EFTA countries Iceland, Liechtenstein and Norway, members of the European Economic Area, align themselves with this statement.

United Nations S/2004/468

Security Council

Distr.: General
9 June 2004
English
Original: French

Letter dated 4 June 2004 from the Permanent Representative of Guinea to the United Nations, addressed to the Secretary-General

I have the honour to transmit to you herewith the final communiqué of the Summit of Heads of State of the Mano River Union, held on 20 May 2004 at Conakry (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(*Signed*) Alpha Ibrahima **Sow**
Ambassador

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Annex to the letter dated 4 June 2004 from the Permanent Representative of Guinea to the United Nations, addressed to the Secretary-General

Summit of Heads of State of the Mano River Union

Conakry, 20 May 2004

Final communiqué

At the invitation of His Excellency General Lansana Conté, President of the Republic of Guinea, the Summit of the Heads of State of the Mano River Union was held on 20 May 2004 at Conakry.

Participants in the Summit included Ahmad Tejan Kabbah, President of Sierra Leone, and Charles Gyude Bryant, President of the National Transitional Government of Liberia.

The Summit was honoured by the presence of the Presidents of Côte d'Ivoire and Mali, Mr. Laurent Gbagbo and Mr. Amadou Toumani Touré.

Also present was Ambassador Daudi Ngelautwa Mwakawago, Special Representative of the Secretary-General for Sierra Leone.

This Summit took place against the background of a revival in the activities of the Mano River Union which is taking place thanks to the new climate of peace prevailing in the subregion.

1. The Summit welcomed the considerable progress made in consolidating peace and restoring the authority of the State throughout the territory of Sierra Leone.

2. The Summit expressed particular satisfaction at the successful implementation of the disarmament, demobilization, reintegration and rehabilitation programme, which had made possible the voluntary repatriation of Sierra Leonean refugees.

3. The Summit warmly welcomed the establishment of the National Transitional Government of Liberia, and commended the efforts of the international community to restore normal constitutional life and promote full participation by all Liberians in rebuilding their country.

4. The Summit undertook to support all initiatives to foster a climate of trust and security in the subregion, in order to strengthen cooperation among States and promote their sustainable and integrated development.

5. The Heads of State gave careful consideration to the recommendations of the meeting of Ministers of Foreign Affairs and of the Joint Security Committee, held at Conakry on 19 May 2004.

6. Having amended the report of the Ministers of Foreign Affairs, the Heads of State considered that all armed individuals or groups of individuals conducting destabilizing activities against a legally established Government are to be considered as rebels or mercenaries. Consequently, the member States of the Union must take all necessary legal and security measures to render such groups or individuals harmless.

Fully aware of the threat that cross-border crime represents for peace and stability, the Heads of State called upon the security and intelligence services of the three States to establish effective cooperation and monitoring mechanisms to combat that scourge.

7. Welcoming the latest developments in Liberia, the Summit undertook to support the laudable efforts of the international community towards a return to a lasting peace in that country.

8. In that context, the Heads of State strongly encouraged the National Transitional Government of Liberia to spare no effort in ensuring the full application of the Comprehensive Peace Agreement, and particularly the successful implementation of the disarmament, demobilization, reintegration and rehabilitation programme.

9. The Summit reiterated its appeal to the international community for additional support in order to revive the institutions of the Mano River Union and facilitate the implementation of existing Protocols, particularly the Fifteenth Protocol on Defence and Security, and confidence-building measures.

10. The Summit reaffirmed the vital role of the culture of peace and undertook to step up awareness-building and educational activities among the populations of the three countries.

11. The Heads of State also agreed to encourage their national institutions responsible for combating the proliferation of light weapons to strengthen their contacts and cooperation with the Joint Security Committee in order to eradicate the scourge of light weapons and trafficking in drugs and other narcotics used to finance mercenaries.

12. The Heads of State further reiterated their determination to forge even closer brotherly and friendly relations with a view to the continual strengthening of the historic ties binding their countries. They undertook to settle any disputes by peaceful means.

13. The Heads of State of the Mano River Union warmly welcomed the participation of their brothers and friends, the Presidents of Mali and Côte d'Ivoire, reflecting the strong desire of the leaders of the subregion to find solutions together to the challenges confronting their peoples.

14. They reaffirmed their complete readiness to work together with their brothers from Mali and Côte d'Ivoire to transform our space into a zone of stability conducive to joint cooperation for sustainable and integrated development.

15. For this reason, fully aware of the regional dimension of the Ivorian conflict, the Heads of State expressed their profound concern at the situation in that country. In that connection, they reaffirmed their strong solidarity with the efforts of President Laurent Gbagbo and his Government to safeguard the territorial integrity of Côte d'Ivoire. Thus, the Heads of State of the Mano River Union strongly condemned any form of unconstitutional takeover, in accordance with the provisions in force, particularly the Declaration of Algiers of 1999.

16. The Summit expressed its profound gratitude to the Joint United Nations Programme on HIV/AIDS (UNAIDS) and the African Development Bank for their support to the subregional project to combat HIV/AIDS, tuberculosis and malaria

among refugees, displaced persons and host populations in the Mano River basin countries and Côte d'Ivoire.

17. The Heads of State of Liberia, Sierra Leone, Côte d'Ivoire and Mali expressed their deep gratitude to President Lansana Conté and the Guinean people for the tremendous sacrifices they have made to ease the suffering of thousands of refugees in the subregion.

18. They issued an urgent appeal to the international community to provide ongoing support to the efforts of Guinea to rehabilitate areas affected by the prolonged presence of refugees.

19. Presidents Laurent Gbagbo and Amadou Toumani Touré expressed their deep gratitude to President Lansana Conté for his great solicitude towards them.

20. They reassured President Lansana Conté and their brothers in Liberia and Sierra Leone of their determination to participate in this undertaking to revive the subregion.

21. The Heads of State of Liberia, Sierra Leone, Côte d'Ivoire and Mali expressed their deep appreciation to General Lansana Conté for his successful initiative to host the Summit of the Mano River Union.

22. They expressed their full satisfaction with the excellent arrangements made for their visit, fully living up to the Guinean reputation for hospitality.

23. The Heads of State decided to hold their next Summit in Monrovia.

United Nations S/2004/469

Security Council

Distr.: General
9 June 2004

Original: English

Report of the Secretary-General on the situation in Somalia

I. Introduction

1. The present report is submitted pursuant to the statement by the President of the Security Council of 31 October 2001 (S/PRST/2001/30), in which the Council requested me to submit reports at least every four months on the situation in Somalia and efforts to support the peace process, including updates on the scope and contingency planning for launching a peace-building mission for Somalia.

2. The report covers developments since my previous report, dated 12 February 2004 (S/2004/115 and Corr.1). It highlights the issues and challenges faced by the Somalia National Reconciliation Conference, which has been under way since October 2002 in Kenya under the auspices of the Intergovernmental Authority on Development (IGAD), with Kenya as Chairman. The report also provides an update on developments inside Somalia, security conditions, and the humanitarian and development activities of United Nations programmes and agencies.

II. Somali national reconciliation process

3. As previously reported (S/2004/115, para. 13), Somali leaders on 29 January signed a document entitled "Declaration on the Harmonization of Various Issues Proposed by the Somali Delegates at the Somali Consultative Meetings from 9 to 29 January 2004". Although the document was signed in Nairobi in the presence of President Mwai Kibaki of Kenya, controversy arose over the method of selection of members of the future transitional federal parliament. Despite the concerted efforts of the IGAD Facilitation Committee and the support of international observers, the reconciliation process was effectively stalled from early February until it resumed recently.

4. On 4 February, some members of the Somali Restoration and Reconciliation Council issued a press statement contesting the validity of the Declaration. According to them, the text regarding article 30 of the draft transitional federal charter on the selection of the members of parliament was different from the text they had agreed upon during the Somali Leaders' Consultation (S/2004/115, paras. 10-12). These Somali Restoration and Reconciliation Council leaders contended that only the 24 leaders who had signed the Eldoret Declaration on the Cessation of Hostilities (S/2002/1359, annex) and President Abdikassim Salad Hassan of the

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Transitional National Government constituted all of the political leaders entitled to be involved in the selection of the members of parliament. Traditional leaders from Somalia's clans would then endorse the selection of members of parliament. They claimed that the increase in the number of political leaders in the text of the Declaration was meant to obtain an overrepresentation of some political groups. This view was also supported by the former Transitional National Government prime minister and the former speaker of the Transitional National Assembly (see S/2003/987, para. 9, and S/2004/115, para. 7).

5. In the meantime, the Transitional National Assembly, convened by Abdikassim Salad Hassan, endorsed the Declaration on 8 February. Five of the Somali Restoration and Reconciliation Council leaders who withdrew their signatures on the Declaration left Mbagathi for Jowhar in the Middle Shabelle region of Somalia. On 23 February, the draft transitional charter (reflecting the 29 December Declaration) received the endorsement of the Somali delegates present in a plenary session of the Conference. However, Colonel Abdallhahi Yusuf of "Puntland" and several other Somali Restoration and Reconciliation Council leaders argued that the plenary session had serious procedural problems. They criticized the IGAD Facilitation Committee for conducting the plenary session with only Djibouti and Kenya present. They insisted that unless all six IGAD country representatives were present during conference deliberations, the conclusions reached were not binding.

6. On 11 March, the five Somali leaders in Jowhar announced the formation of the National Organizing Council for Somalia, reportedly made up of 51 members under the leadership of Mohamed Omar Habeeb ("Mohamed Dhere"). They stated their intention to complete phase III of the Conference inside Somalia. In a statement issued on 8 March, Colonel Yusuf, other Somali Restoration and Reconciliation Council leaders remaining in Nairobi and the former Transitional National Government prime minister and speaker also expressed a lack of confidence in continuing the peace process in Kenya.

7. Following the approval of the charter by the plenary Conference, the IGAD Facilitation Committee began preparations for phase III of the Conference. However, the Committee was unable to meet at ministerial level (with Ethiopia and Eritrea represented at the ambassadorial level) until 12 March in Nairobi to plan phase III of the Conference.

8. A delegation composed of the African Union's Special Envoy for Somalia, an IGAD secretariat official, and officials from Kenya, Sweden and the United Kingdom met with National Organizing Council for Somalia members in Jowhar on 17 March, to persuade them to return to the Conference. However, the National Organizing Council for Somalia group asserted the validity of the charter as endorsed on 15 September 2003 (see S/2003/987, paras. 10-16) and demanded that no other amendments be made to the charter. They reiterated their position that the number of political leaders to select members of parliament be limited to 24+1, that is the 24 Eldoret signatories and Abdikassim Salad Hassan; and that IGAD should declare that the latter could no longer act as President of Somalia. Should IGAD fail to meet these demands, the National Organizing Council for Somalia group restated its plan to convene phase III of the Conference inside Somalia.

9. Other Somali Restoration and Reconciliation Council leaders met in Nairobi on 25 March and decided to remain engaged in the Conference. However, Colonel Yusuf left Nairobi on 29 March for "Puntland", reportedly in compliance with a

provision of the "Puntland" constitution that required the "President" not to be absent from the territory for more than 60 consecutive days. The Chairman of the Juba Valley Alliance, Colonel Barre Aden Shire ("Barre Hirale"), left the Conference on 27 March, ostensibly to deal with tensions that arose from the killing of a businessman in Kismaayo. Musse Sudi ("Yalahow") also returned to Mogadishu on 3 April, following the killing of a militia commander in Mogadishu. However, these leaders continued to affirm their commitment to the IGAD-led reconciliation process.

10. Meanwhile, the Somali delegates remaining at the Conference made efforts to compile and harmonize the rules of procedure for phase III but did not reach meaningful agreement. The Government of Sweden offered financial support for the airlifting of traditional leaders, who would join phase III of the Conference, from Somalia to Mbagathi. However, in Baidoa, airplanes dispatched for this purpose were prevented by militia from transporting the traditional leaders. In the case of Mogadishu, on two occasions, no traditional leaders assembled at the airport.

11. European Union Troika representatives met with the Kenyan Foreign Minister on 16 April in Nairobi to discuss the European Union's decision to reduce funding for the Conference. They argued that the end of phase II should result in the departure of delegates who had been at the Conference for that phase. They were of the view that the number of funded delegates at the Conference be limited to 203 persons, including the traditional leaders who were expected to join the process.

12. On 22 April, the Kenyan Foreign Minister announced a road map with fixed dates for the completion of the Conference. It required all political leaders absent from Nairobi to return and for the traditional leaders to arrive at the Conference venue within a stated time frame. The process would culminate in the swearing in of a president for the transitional federal government of Somalia on 1 July. The road map also fixed the fifth Ministerial Facilitation Committee meeting for 6 May, when the Ministers were expected to launch phase III of the Conference.

13. The Facilitation Committee meeting took place on schedule in Nairobi from 6 to 7 May with all IGAD Ministers of Foreign Affairs in attendance. The Executive Secretary of IGAD and the Commissioner for Peace and Security of the African Union also participated in the discussions. In the joint communiqué, the Ministers inter alia "declared their total and unreserved commitment to unite in resolving the Somali problem once and for all", appealed to Somali leaders to return to the Conference by 20 May and for the Conference to conclude successfully by the end of July 2004. The Foreign Ministers agreed to hold their next meeting in Nairobi on 20 May.

14. Furthermore, the Ministers agreed to collectively brief the Commission of the African Union and the Security Council on the status of the Somali national reconciliation process before the end of phase III of the Conference. They expressed appreciation for the diplomatic and financial contribution of the European Union and the international observers and called for further assistance for the Conference which was operating on a 52 per cent budget deficit. International observers welcomed the initiative taken by the IGAD Ministers.

15. Following the IGAD Ministerial meeting, the Jowhar group indicated its intention to re-join the Conference by 20 May. However, on 6 May, the Chairman of the National Organizing Council for Somalia group, "Mohamed Dhere" reportedly

detained reporters of a Jowhar radio station for airing a statement urging Somali leaders to return to the Conference. On 13 May, Abdikassim Salad Hassan was reported to have criticized the IGAD joint communiqué as it appeared to undermine the existence of the Transitional National Government and failed to mention the 29 January Declaration (see para. 3). He also expressed concern about the Kenyan Government's refusal to issue visas on Somali passports and stated that the Transitional National Government would suspend its participation in the Conference until Kenya rescinded its decision on Somali passports.

16. Following the sixth IGAD Ministerial Facilitation Committee meeting in Nairobi on 22 May, the Ministers stated that they had consulted all Somali clans for the completion of the third and final phase of the Conference. They called for the early arrival of traditional leaders at the Conference site and for Somali political leaders to cooperate in the process of selecting the members of the transitional federal parliament. The Ministers warned that absent leaders would not be allowed to hold the process hostage and that, punitive measures would be taken against those obstructing completion of the reconciliation process.

17. My Representative and the United Nations Political Office for Somalia remained actively engaged in the Somali national reconciliation process. My Representative participated in the meeting of the IGAD Partners' Forum in Addis Ababa on 20 February. IGAD Partners' Forum representatives concluded that a high level of diplomatic support from the international community, particularly the Security Council, would be needed for the successful conclusion of the Conference and the establishment of sustainable governance structures in Somalia. My Representative also met with senior Ethiopian officials who reiterated Ethiopia's commitment to the Somali national reconciliation process. In addition, the Ethiopian officials expressed a desire for a stronger interest in Somalia to be evidenced by members of the international community.

18. The United Nations Political Office for Somalia held consultations with the European Community, non-governmental organizations, donors and the World Bank concerning the realization of a common framework on peace-building and to coordinate planning and implementation strategies. This ongoing effort commenced with a one-day workshop on 8 April, in which some 15 countries and organizations participated.

III. Developments inside Somalia

19. In a letter addressed to me on 7 April, the Transitional National Government denounced Ethiopia's alleged military interference in Somalia, claiming that Ethiopia had been occupying parts of Somali territory and was recruiting and training militias. The Ethiopian authorities have denied these allegations on a number of occasions.

20. The President of "Somaliland" held talks with British officials, parliamentarians and businessmen in the United Kingdom in mid-March. He also visited Brussels and Addis Ababa.

21. In March, "Somaliland" authorities reiterated their intent, first announced in September 2003, to deport "illegal immigrants" from areas under their control. However, the deadline has been extended several times. Included in the

classification of "illegal immigrants" are some 40,000 internally displaced persons, mainly from southern Somalia. United Nations agencies continue to work with the "Somaliland" authorities to assure the protection of the human rights and humanitarian needs of these groups.

22. Meanwhile, the environment for "foreigners" in general and internally displaced persons from southern Somalia in particular has continued to deteriorate in "Somaliland". Harassment, exploitation and extortion of these groups is quite common. These conditions have forced many of those affected to flee southwards and into "Puntland", where they are living in squalid conditions. United Nations agencies in Ethiopia have also reported the presence of "deportees" from "Somaliland" in the Somali region (Zone V) of Ethiopia, where they are placing an additional burden on the region's limited resources. The United Nations is currently undertaking a review of new arrivals in "Puntland" to ascertain the scope of the influx, in order to design an appropriate response. "Puntland" already hosts some 70,000 internally displaced persons. The largest concentration of about 25,000 is based in Bosasso, where the administration's capacity to provide for them is limited.

23. In Bay region, reconciliation efforts led by the elders among the Rahanwein since January have triggered the return of large numbers of internally displaced persons to villages surrounding Baidoa. More than 2,500 internally displaced persons fled fighting between two different clan groups within the Rahanwein Resistance Army (RRA) in 2003. While the reconciliation talks have yet to conclude, the area has been peaceful and access has improved considerably.

Security

24. A significant increase in threats and attacks on international and national aid workers in Somalia has caused serious concern within the international community.

25. On 19 March, Flora Chepkemoi Cheruyiot (Kenya) of the German Agency for Technical Assistance and a Somali driver were killed by gunmen on the road from Hargeisa to Berbera. A German staff member also sustained neck injuries in the attack. Members of the armed Somali escort who engaged the assailants suffered gunshot wounds. The "Somaliland" authorities assert that the five suspects they have arrested are Islamic militants and will be brought to trial.

26. United Nations and other aid workers also continue to face harassment from elements within Somalia who make unjustified demands. For instance, on 24 February, a gunman in Badan in Eastern Sanaag shot at a World Food Programme (WFP) distribution team, claiming that his clan was not getting its proper share of food aid. On March 10, "Puntland" authorities in Las Anod accused two non-governmental organization international staff of misusing international humanitarian funds and detained them for four days. The killing of a Somali driver working for Norwegian People's Aid in March, in Las Anod, degenerated into revenge killings during April.

27. In Galgudud region, sporadic fighting around Heraale village between the Marehan and Dir clans (see S/2004/115, para. 26) has continued. On 29 February, 12 people were killed and 29 wounded. In mid-March, at least 38 people were killed in the same village.

28. On 25 April, militia looted a Kenyan-registered aircraft in Baidoa. The aircraft had been sent to collect elders to attend phase III of the Conference and was held on

the ground for several hours. Groups of gunmen demanded money from the pilot, threatened him and looted his personal belongings. The aircraft later departed following the intervention of RRA officials.

29. On 12 May, following the discovery of a large anti-tank mine on the runway of the Dinsor airstrip in Bay region, south-west of Baidoa, the United Nations was forced to suspend all flights into Somalia for a few days. A thorough review of security measures was undertaken. The airstrip is used by European Commission Humanitarian Aid Office (ECHO) aircraft on a regular basis and by United Nations aircraft occasionally. An ECHO flight had been expected to land at the airstrip on 12 May.

30. In the Belet-Hawa district of Gedo region, some 3,500 people became internally displaced persons as a result of intra-Marehan clashes for control of the town on 8 May. Most of the people affected temporarily crossed into the Kenyan border town of Mandera to seek protection. The fighting has subsided due to the intervention of clan elders.

31. Tension over the banana trade among the Habr Gedir in Lower Shabbelle has led to several violent confrontations. In one incident 17 people were killed on 17 March. On 26 April, in Bakool region, WFP staff in the International Medical Corps were threatened in Isdohorte village by gunmen who insisted that their children continue to receive the food rations, although they were no longer eligible.

32. A general increase in tension is reported in the Kismaayo area in the Juba region. The Juba Valley Alliance (JVA) militia fought with the Sheikhal militia in Haramka area. At least 13 people were reported killed and 29 wounded. A United Nations Security Officer, Rolf Helmrich (Germany), was kidnapped and held hostage from 29 January to 7 February and then released unharmed. While reports indicate large-scale displacement resulting from clashes in February in Buale and Jilib districts of the Middle Juba region, insecurity has so far prevented a full assessment of conditions. On 5 March, a Somali staff member working with the United Nations Polio Eradication Initiative was injured in a shooting incident south of Buale.

33. Clan fighting in February displaced about 240 families from the west to the east bank of the Shabelle river, in Belet Weyne in Hiran region. Reports indicate that some 200 pastoralist families fled to Hiran region from Ethiopia in March as a result of inter-clan clashes in Zone V in the Somali region of Ethiopia. While their needs are so far being met by local communities, their presence is placing an undue burden on the resident population, which is itself poor. The situation continues to be monitored closely, and potential responses are under consideration. Again, insecurity could hinder a full response by aid agencies.

34. The problem of crime in Mogadishu has continued unabated. This is in addition to the occasional inter- and intra-clan fighting that continues to claim lives, in spite of the efforts of clan elders who try to mediate. Clashes between two Wa'eysle sub-clans in the Bermuda area on 6 April resulted in the killing of 13 people, with 29 others wounded. Warsangeli and the Waabudan sub-clan (Abgal) clashes in Mogadishu from 9 to 13 May displaced a large number of people from north Mogadishu and resulted in about 60 deaths, with over 200 people wounded. At least half of the casualties were civilians. Later, Abgal clan elders defused the tension.

35. On the night of 10 April, a serious fire in the main Bakaara market in Mogadishu resulted in at least 8 people killed and more than 30 wounded. Armed looters shot indiscriminately into the crowd. The incident caused widespread insecurity in the areas surrounding the market.

36. Ordinary Somalis continue to take risks in order to escape conditions in their country. In April, reports indicated that at least 85 people drowned when two boats, each carrying over 100 illegal immigrants, collided in the Red Sea off the coast of Sanaag region. One boat sank completely. Only eight passengers and five crew members survived. The other boat was damaged but saved by the "Puntland" coast guard and all 105 passengers survived.

37. On 17 April, Kenyan authorities imposed a ban on the issuance of Kenyan visas on Somali passports for entry into Kenya. This development has caused difficulties for the operations of aid organizations as the large number of Somali nationals who work for international programmes will not be able to travel to Nairobi, where most coordination activities take place. On 22 April, Kenyan authorities indicated that visas would be issued to traditional leaders upon arrival so that they could participate in phase III of the Conference. The retaliatory response of the "Puntland" authorities on holders of Kenyan passports in late April has also had a negative impact on aid delivery.

38. In view of deteriorating conditions for aid workers, the security phase in Western "Somaliland" was raised to phase 4 (Emergency Operations) and to phase 5 (Evacuation) in Kismaayo town and for parts of the western border with Kenya. Mogadishu remains at phase 5.

39. New security measures designed to enhance the protection of aid workers have also been adopted. In "Somaliland", once considered the most secure region, recent attacks forced the United Nations to lower the number of international staff deployed. Activities of non-governmental organizations have been curtailed since mid-March, when most abided by the European Community advisory to withdraw. These organizations are just beginning to return in small numbers on the advice of the European Community.

40. In April, a joint donor United Nations/non-governmental organization mission visited "Somaliland" to initiate a dialogue with the authorities on security concerns. As a result, additional support will be provided by the European Community to a Special Protection Unit, comprising "Somaliland" police officers specially trained by the United Nations Development Programme through its Rule of Law and Security Programme. This Unit will be dedicated to the protection of aid workers.

41. Strengthened security measures are also being put in place throughout Somalia, through revised Minimum Operating Security Standards for United Nations staff. Donor funding is being sought for a dedicated non-governmental organization Security Officer who will help strengthen the NGO community's security preparedness and risk management, in close collaboration with the Office of the United Nations Security Coordinator. Donor support for increased security measures is critical in ensuring the continued and smooth functioning of humanitarian programmes in Somalia.

42. Deterioration in security for international workers since October 2003 in "Somaliland" and in other parts of Somalia has resulted in the reduction of international aid agency field presence and the slowing down of programmes.

Notwithstanding these troubling developments, the United Nations and its partners continue to implement programmes which are essential in meeting humanitarian and development needs.

IV. Humanitarian situation

43. Four years of consecutive drought in northern Somalia in late 2003 and into 2004 have caused massive livestock deaths. In some areas up to 80 per cent of the herds have perished, further impoverishing about 200,000 pastoralist families. At the same time, food and water prices increased beyond the reach of most households. As a result, many began cutting trees to sell as charcoal, causing environmental damage and reducing fodder for camels.

44. United Nations agencies and non-governmental organizations responded with short-term interventions. These include: emergency water trucking; food aid and supplementary feeding; mobile health clinics; and veterinary services and cash grants until the next Gu rains, which were due in May 2004, and until longer-term interventions such as cash-for-work projects could be put in place. Those rains started, albeit sporadically in April 2004, but rainfall has still not been sufficient to reverse the prolonged effects of the drought, in particular in the lower Nugal and eastern Sanaag and Sool regions. These areas continue to be in a state of humanitarian emergency. Thus, immediate humanitarian assistance as well as ongoing livelihood support remain critical, as funding shortfalls continue to limit programmes.

45. Overall Deyr cereal production in 2004 was normal compared to the post-war average. However, harvests were lower by as much as 50 per cent in the Hiran, Lower Juba and Bakol regions due to the delayed onset and irregular distribution of rain. Poor crop production, insecurity, economic stress and disease continued to contribute to high levels of malnutrition of above 15 per cent among the vulnerable populations in southern Somalia. There is increasing evidence that such high levels of malnutrition are associated with high mortality rates in Somalia.

46. A nutritional survey is under way to help determine the underlying cause of vulnerability, design appropriate responses, and set baseline data for future monitoring. Also of critical concern are the communities in northern Gedo region, where malnutrition persists in particular in the districts of Luuq, Dolow, Elwak and Belet-Hawa. The latter areas exhibit the highest incidence of severe malnutrition, which is caused largely by insecurity, which prevents farmers from harvesting their crops. Only limited activities continue in this region, as more comprehensive responses are hampered by persistent insecurity, including attacks on aid workers. Internally displaced persons in Kismaayo and Mogadishu also continue to suffer from chronic malnutrition.

47. During the reporting period, the Office of the United Nations High Commissioner for Refugees (UNHCR) repatriated a total of 2,918 Somali refugees from camps in Djibouti to "Somaliland", mostly to the Awdal region. Meanwhile, the demining of the repatriation route from Ethiopia was completed and preparations were under way to resume voluntary returns from the Aisha camp in May.

48. UNHCR is implementing reintegration projects in Somalia with special focus on local development activities that generate employment and promote self-reliance

of returnees. The second priority area for this year is education and the special needs of girls. A regional initiative, "Together for Girls", targets Somali girls in refugee camps in the countries of the region and their return to Somalia. UNHCR aims to increase girls' enrolment and retainment in schools as well as community awareness of the importance of girls' education.

V. Operational activities in furtherance of peace

49. The newly refurbished and reopened Mandera Police Training Academy in "Somaliland" has received its second intake of 160 "Somaliland" trainee police officers who will graduate at the end of July 2004. The Law Review Commission has begun operating in "Somaliland" and a Human Rights Ombudsman has been established as well. A legal clinic continues to operate out of the university in Hargeysa, providing legal assistance to marginalized people in the city.

50. The "Puntland" Police Academy is under construction and basic training has started for a limited number of police officers in "Puntland" and Jowhar in the south. The staff of the recently established "Puntland" Mine Action Centre have been trained and will assist in the landmine impact survey of "Puntland", which will take place over the next few months.

51. The Somalia National Reconciliation Conference has identified disarmament, demobilization and reintegration as one of the six key areas for implementation by the future transitional federal government (see S/2003/231, para. 28). However, until recently, support for capacity-building in the area of disarmament, demobilization and reintegration had largely been through ongoing programmes in support of the rule of law under implementation by international agencies (Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ), Nederlandse Organisatie voor Internationale Bijstand (Novib), as well as the United Nations Development Programme) with emphasis on police and judicial training as well as reintegration and not on demobilization and disarmament.

52. In recognition of the importance and complexity of the issues involved, the European Community organized a preliminary discussion on disarmament, demobilization and reintegration on 23 February in Nairobi among concerned international donors and agencies. The meeting decided to engage international expertise to assist in strategic planning, coordination and advice on the disarmament, demobilization and reintegration process.

53. The United Nations has, in close collaboration with a Somali women's non-governmental organization network (SAACID), assisted in the demobilization of 300 militia, including 75 girls who recently completed a disarmament, demobilization and reintegration programme in Mogadishu. The programme is currently preparing for the publicized destruction of weapons handed over under its auspices.

54. Four scholarships for Somali youths to participate in the Real Madrid summer camp have recently been created by the Spanish soccer team as part of the celebration of the 2004 International Peace Day. Upon their return to Somalia, they will become messengers for peace in their respective communities. The selection process for the four scholarships will involve the first peace cup that is being

organized by the United Nations country team in cooperation with the local authorities in "Somaliland" and in the central and southern regions of Somalia.

55. During the first quarter of the year, child protection coordination networks were established in Bari, Nugal, Mudug, Benadir, Lower Shabelle and Hiran regions. Their role is to facilitate information sharing and coordination of advocacy initiatives on behalf of child victims of violence, abuse and exploitation. Membership is open to all civil society organizations, in particular to relevant women and youth groups, as well as to representatives of local authorities, professional groups and international partners. The networks have agreed on their priorities to include help for street children, efforts towards the total eradication of female genital mutilation and the protection of internally displaced children.

56. A team of 24 child protection advocates began work in about 40 communities throughout Somalia in the first quarter of 2004. They have helped to organize community-based dialogues to mobilize leadership on the issue. Thus far, the level of involvement by community leaders has varied greatly. Successful efforts include: access to education for disadvantaged children; commitment from business people to provide support and care to street children; community action to protect children against prostitution and exploitative labour; and the commitment of some militia leaders to support children's attendance in school.

57. The gross enrolment rate in primary schools is currently only 17 per cent and basic school infrastructure is in need of major support. The United Nations has a 2003/2004 primary school survey under way, which provides data relating to primary schooling in Somalia and is used to measure progress and assist in forward planning for all groups engaged in education work in the country. The Education Management Information System is also being revised and provides more routine information on pupils, classes and schools. Together, these tools give a comprehensive picture of the situation of education throughout Somalia.

58. The Socio-Economic Survey on Somalia (see S/2004/115 and Corr.1, para. 44) provides the latest national estimates of various demographic, economic and social statistics. During the current reporting period, regional administrative data was published for "Somaliland" and compiled for "Puntland". Statistics were compiled for selected municipalities, for major ports and for consumer prices and exchange rates in major urban centres. The first report on Millennium Development Goals for Somalia is under preparation.

59. The United Nations has recently undertaken a project to improve financial services based in Somalia and enhance their transparency, accountability and credibility. It has begun work on a web site for the recently established Somali Financial Services Association (see S/2004/115, para. 52). The project has trained two Association board members on microfinance activities in the private sector. The production of a compliance manual is under way which will form the basis of a validation workshop with key stakeholders in June 2004.

60. The United Nations country team has compiled the strategic framework for access to basic services to provide a definition of minimum standards, a clear unified prioritization of needs and a results-based framework against which to report progress in addressing access and provision of basic services to communities.

61. The United Nations has distributed crop and legume seeds (46 metric tons) to 7,650 households as part of the crop diversification programme in Bay, Bakool,

Middle Juba and Gedo regions and sorghum and cowpea seeds (28.5 metric tons) to 1,900 conflict-affected households displaced following inter-clan fighting in Baidoa district.

62. The United Nations is also procuring vegetable seeds for further distribution and training in the growing and processing of vegetables for 9,000 households and women's groups, in Tayeglo, Hoddur, Wajid, Rabdurre, Baidoa, Dinsor, Qansahdere, Lugh, Dolo, Sakow and Buále districts. It has also provided locally made farming hand tools, motor pumps, animal draught equipment and training on animal nutrition and welfare for approximately 21,000 households in these areas.

63. Somalia was removed from the list of polio-endemic countries in March as a result of nearly two years without any confirmed cases of the disease in the country. The next step in the process is obtaining polio-free status for Somalia. United Nations and partner agencies will continue with regular national immunization days until the disease is totally eradicated from the country. In addition to ending polio in Somalia, vaccination campaigns have acted as a vehicle for peace-building for over eight years, fostering cooperation among communities and achieving access to them. United Nations agencies continue to work closely with traditional leaders, who have been a major force behind the eradication programme, actively participating in immunization campaigns.

64. The first comprehensive HIV/AIDS knowledge, attitudes, beliefs and practice survey has been completed in 21 districts in Somalia. The study was undertaken to assess the levels of knowledge among men and women aged 15 to 49 and to identify attitudes and practices related to HIV/AIDS and other sexually transmitted diseases. The study will provide inputs into subsequent policy design and programming on HIV/AIDS for all partners. The results will also be linked to the ongoing HIV surveillance system recently established by the World Health Organization (WHO).

VI. Observations

65. The outcome of the two recent IGAD Ministerial Facilitation Committee meetings held in Nairobi demonstrated a renewed cohesiveness among the IGAD Foreign Ministers on the issue of national reconciliation in Somalia. Their stated resolve (see paras. 13-16 above) was welcomed by the international community. It is my sincere hope that the initiative can help the Somalia National Reconciliation Conference, which has suffered a serious impasse for several months, to conclude with an accepted outcome.

66. A coherent regional approach is essential if the Facilitation Committee is to provide political leadership during the proceedings of phase III and the finalization of the Conference. Moreover, the two-month time frame, given by the IGAD Ministers to conclude the Conference, places extraordinary pressure on the Somali parties and the region. Somali leaders have until the end of July to reach agreement on several contentious issues and form an inclusive transitional federal government for Somalia. It is incumbent upon them to demonstrate the necessary political will and make difficult decisions.

67. I would also like to reiterate the important role that the international observers continue to play in support of the IGAD initiative and the laudable efforts of the Government of Kenya. Once again, I commend the European Union for its financial

assistance and political support for the Conference. The African Union and the League of Arab States have made an important contribution in supporting peace and national reconciliation in Somalia. I ask for their continued active engagement with the Conference.

68. The international community, including the United Nations, must stand ready to support these efforts as well as the subsequent efforts to implement the agreement to be reached on the ground. For over a decade, Somalia has experienced a near total lack of governance structures, especially at the national level. In large parts of the country, politicians, businessmen and faction leaders have charted out armed control over their fiefdoms. They continue to demonstrate a lack of vision and political will to positively dialogue for peace in order to enhance national reconciliation and development, and this could make the task of assisting in the implementation of any agreement in Somalia particularly challenging.

69. While it is clear that the ultimate responsibility for peace in Somalia rests squarely on the shoulders of all Somalis, in particular their leaders, it is at the same time incumbent on the international community to rediscover the way to engage Somalia. I would like to urge IGAD, the African Union, the League of Arab States, the European Union and the Security Council to consider what additional measures could be taken in support of peace and national reconciliation in Somalia. The active engagement of the Security Council and the putting in place of the Arms Embargo Monitoring Group could provide the much-needed impetus in this regard. The international community will also need to encourage the recent signs of harmonization of the divergent positions in the subregion vis-à-vis Somalia if the peace process in Somalia is to enjoy the maximum chances of success.

70. Violence and armed conflict, as well as natural disasters, continue to exacerbate already significant vulnerabilities in Somalia, which has some of the lowest human development indicators in the world. While access is severely constrained to allow for comprehensive humanitarian responses in some areas, aid agencies have been responding to various humanitarian crises in fluid security environments, provided they have the resources to do so.

71. Somalis, in spite of their difficulties and constraints, have shown tremendous resourcefulness in overcoming some of the difficulties created by the absence of a central government and governance structures, and the relative lack of international support. They have created an informal banking system, initiated university programmes and established education facilities, and built a modern communications system. Improved humanitarian and development funding, in particular to increase access to basic social services and to strengthen civil society and the rule of law, would contribute a great deal to the efforts to build peace and promote reconciliation within and between communities.

72. The currently revised Consolidated Inter-Agency Appeal for Somalia for 2004 calls for $119 million, of which available resources amount to only $27,878,685 (23 per cent), leaving unmet requirements at $91,247,614. I call on donors not only to contribute generously to the appeal, but also to do so without delay so as to allow the effective implementation of a full, coherent and balanced humanitarian and peace-building programme.

73. In conclusion, I would like to commend the efforts of my Representative for Somalia, the staff of the United Nations Political Office for Somalia, and the United Nations country team as well as the many non-governmental organizations active in the country for their humanitarian activities and contribution to the international effort to help promote and support national reconciliation and peace in Somalia.

United Nations A/58/839–S/2004/470

General Assembly
Security Council

Distr.: General
9 June 2004

Original: English

General Assembly
Fifty-eighth session
Agenda items 37, 38 and 84

Security Council
Fifty-ninth year

The situation in the Middle East

Question of Palestine

Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Letter dated 9 June 2004 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General

In breach of all norms and rules of international law, Israel, the occupying Power, continues to carry out its illegal policies and practices against the Palestinian people and their leadership in the Occupied Palestinian Territory, including East Jerusalem. Among the countless unlawful policies and practices that continue to be carried out by the occupying Power are the abduction, detention and imprisonment of Palestinian civilians, including men, women and children.

Currently, more than 7,000 Palestinians continue to be illegally detained and imprisoned in Israeli jails and detention centres under the most inhumane and unhygienic conditions and subject to harassment, physical and mental abuse and many even subject to torture. The majority of those persons are repeatedly and continuously denied access to their families, to legal representation and to visits by the International Committee for the Red Cross and other humanitarian organizations. Also among those being unlawfully imprisoned by the occupying Power are Palestinian leaders and elected officials, including Marwan Barghouti, member of the Palestinian Legislative Council, Hossam Khader, also member of the Palestinian Legislative Council, and Abdullah Mallouh, member of the Executive Committee of the Palestine Liberation Organization.

In the specific case of Mr. Barghouti, the Israeli occupying forces abducted him from the Occupied Palestinian Territory two years ago and jailed him. Mr. Barghouti was then put on trial in an Israeli Court, which three days ago, on 6 June 2004, sentenced him to five consecutive life terms in prison plus forty years. The Palestinian leadership rejects this sentencing of Mr. Barghouti. Mr. Barghouti, as an elected member of the Legislative Council, has immunity, which has never

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been waived, but, more importantly, the Israeli court has no jurisdiction whatsoever over the Occupied Palestinian Territory or over any Palestinian living there. Indeed, as apparent from the sham of conduct of the court in this case, the Israeli courts clearly function as part and parcel of the Israeli occupation over the Palestinian people. These courts serve as just another means to abrogate the rights of the Palestinian people and to illegally punish them.

At this time, the Palestinian leadership reiterates its calls for the immediate release of Mr. Barghouti and his colleagues as well as for the release of all other Palestinian civilians being illegally detained and jailed by the occupying Power. We also call upon the international community to exert serious efforts to compel Israel to release these persons and to abide by its obligations under international law, including in particular international humanitarian law, in its conduct as an occupying Power in the Occupied Palestinian Territory, including East Jerusalem.

I would be grateful if you would arrange to have the text of the present letter distributed as a document of the fifty-eighth session of the General Assembly, under agenda items 37, 38 and 84, and of the Security Council.

(*Signed*) Nasser **Al-Kidwa**
Ambassador
Permanent Observer of Palestine to the United Nations